

**BOARD OF HEALTH
Minutes**

October 30, 2008

Present: Sandy Sulsky, Ellen Leahy-Pile, Nancy Gilbert, David Kaufman, David Ahlfeld

Staff: Epi Bodhi, Ellen Bokina, Pamela Field-Sadler

Other: Kathy Koplow, Thomas St. Denis, Peter Root, Attorney Brian Winner

Meeting opened at 7:02 p.m.

I. Review & Receive

A. Meeting Minutes

Meeting minutes from August 14, 2008-Accepted as written.

B. Meeting Minutes

Meeting minutes from September 25, 2008-Accepted as written.

II. New Business

**A. JCM Management Company, Inc./Clark House Apartments
Appeal Correction Letter**

Present: Kathleen Koplow, Property Manager, in attendance.

Ms. Bokina explained the Health Department received a call for an inspection of Apartment 119 at 22 Lessey Street on September 15, 2008. During the inspection, a wet carpet was found due to a broken pipe on the third floor of the building. Following proper protocol, an inspection report was sent via certified mail to the property management company. On September 22, 2008 a follow up inspection took place, the problem was found to be addressed and the violation was abated. Ms. Koplow shared her discontent over the situation, pointing out the issue was one of emergent maintenance, not chronic dampness, and was dealt with appropriately and quickly by the management company. Ms. Koplow explained any violation of chronic dampness would be detrimental to any future litigation. Ms. Koplow requested the noted violation be dropped, or at the very least retract the terminology "chronic." Ms. Bokina explained the violation has been abated, but can not be retracted. Ms. Bokina and members of the Board of Health agree the situation is not chronic and the Housing Inspection form utilized is limited. Ms. Bokina and Mr. Ahlfeld will write a letter to Ms. Koplow emphasizing the dampness in this situation was not chronic.

Motion: Ms. Gilbert moved, seconded by Ms. Pile, to compose and send a certified letter acknowledging the dampness noted in the inspection report is not "chronic."

Vote: Unanimous

The letter was hand-delivered per the direction of Board Chair.

B. Lord Jeffery Inn Renovations: Grease Trap Variance

Present: Thomas St. Denis – BVH Integrated Services, Inc.

Peter Root – Amherst College

Mr. St. Denis explained the comprehensive renovation project for the Lord Jeffery Inn includes the installation of a 3,500 gallon capacity grease interceptor. The size of the tank well exceeds the Massachusetts Code for the number of meals projected to be served per day. The proposed, outside, concrete tank would be located on site. The placement of the tank would be below the freeze line. Mr. St. Denis assured the Board odors and/or maintenance associated with the interceptor would not be problematic to the nearby House of Worship, other neighbors or the guests of the inn. The outside design approach is increasingly becoming industry standard, and in Mr. St. Denis' opinion is more hygienic and easier to maintain. Mr. St. Denis has reviewed the proposed interceptor project with Bob Pariseau of the DPW and Plumbing Inspector Andy French and stated both agree with the design approach. An application has been submitted to the Commonwealth of Massachusetts Board of Examiners of Plumbers and Steam Fitters for a variance to the State Plumbing Code. Ms. Bokina explained when the grease interceptor is installed the Health Department will be required to monitor the cleaning of the unit and assuring discharge from the unit does not adversely affect the Town sewer system. Mr. St. Denis requested the Board of Health compose a letter of support for the design approach for submittal to the State Plumbing Board.

Motion: Ms. Pile moved, seconded by Dr. Kaufman, the Health Department staff provide a letter indicating of no objection to the plan emphasizing the Board of Health anticipates no problems with the proposed design approach for the exterior grease interceptor included in the Lord Jeffery Inn renovation project. **Vote:** Unanimous

C. Tobacco Grid

The Board of Health received a grid outlining tobacco sales to under-age youth checks and violations for the period of January 1, 2006 through October 29, 2008.

III. Old Business

A. Well Regulations

The Board of Health reviewed the revision of the proposed *Amherst Board of Health Well Regulations for Private Wells*. December 1, 2008 will be added as the effective date. Two (2) typographical errors were noted and will be amended. The construction permit fee of \$100.00 was confirmed.

Motion: Ms. Sulsky made the motion, seconded by Ms. Pile, to accept the *Amherst Board of Health Well Regulations for Private Wells* with amended typographical errors **Vote:** Unanimous

Additional Information: Ms. Bokina shared new emerging information regarding Geothermal Wells; Geothermal Wells are used as an energy source not drinking water. MA DEP Guidelines addressing Geothermal Wells will be out by November 10, 2008. The *Amherst Board of Health Well Regulations for Private Wells* address water quality and do not incorporate Geothermal Wells. This may not be a Public Health issue.

Motion: At 8:00 p.m. Ms. Gilbert made the motion, seconded by Ms. Pile, to close the Well Regulations hearing. **Vote:** Unanimous

At 8:05 p.m., Chairman Ahlfeld suggested the Board of Health convene in Executive Session for the purpose of discussing ongoing litigation; the Board of Health will reconvene in Open Session.

Motion: Ms. Gilbert made the motion to convene in Executive Session in accordance with M.G.L. Chapter 39, S.23B for the purpose of discussing ongoing litigation.

Roll Call: Gilbert: aye; Kaufman: aye; Sulsky: aye; Ahlfeld: aye; Pile: aye

At 8: 52 p.m., the Board of Health reconvened in Open Session.

IV. Director's Reports

A. New Staff

Ms. Bodhi explained two new staff have been hired: Pam Field-Sadler is the new Management Assistant, and Barbara Weiss will serve as the part-time Sanitarian. Also, Keith Carlson is serving as Interim Public Health Nurse. The Public Health Nurse position has been advertised externally as a full time position with a closing date of November 13, 2008.

B. Tobacco Control Alliance

Joan Hamlett would like to attend the Board of Health meeting in November. Board of Health members can forward specific questions to Ms. Bodhi who will forward on to Ms. Hamlett. Ms. Bokina explained she had learned of new ways tobacco companies are doing business, i.e. smokeless tobacco products, blunts and drug paraphernalia, which may cause regulatory issues in the future.

C. Social Justice Meeting

A Social Justice meeting was held in early October. The event was well attended. The Social Justice work is funded through a \$300,000 grant from the Kellogg Foundation.

D. Emergency Preparedness

Ms. Bodhi attended an Emergency Preparedness exercise at UMASS

on October 29, 2008. Representatives from the Amherst Fire, DPW and Police Departments and the Town Manager participated as well.

E. Budget Hearing

Ms. Bodhi will attend a Budget Hearing before Town Manager Larry Schaffer and Asst. Town Manager/Treasurer John Musante. Ms. Bodhi has been instructed to develop a 0% increase and a 2% increase budget for FY10.

V. Schedule Next BOH Meeting/Agenda Closing Date

A. Next meeting will be November 20, 2008.

Meeting Adjourned: 9:07 p.m.

Epi Bodhi, Health Director

Approved: 11/20/08